IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION NO.1381 OF 2006

Indira P. Nair ..Petitioner

Vs.

Karthika High School & Ors..Respondents

Mr. K.P. Ravi, for the Petitioners.
Ms. I. Calcuttawala, AGP for Respondent Nos. 3 to 5.
Mr. S.C. Naidu, i/b. C.R. Naidu & Co., for
Respondent Nos. 1 and 2.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATE: 15TH DECEMBER, 2006

P.C.

. Rule. Heard forthwith.

2. The management has filed a reply. It is their contention that the regular vacancy arose in the year 1999 on the resignation of one Sylvi Zachariah. Earlier the petitioner was appointed in the leave vacancy of Mrs. Sylvi Zachariah. The management has applied for regularisation of the petitioner on 25th March, 2000. That was rejected on the ground that the petitioner could not be appointed considering the subject for which the vacancy was available. The matter was once again referred in the year 2004 and the matter is still pending with the Department.

3. The issue here is appointment of an Assistant

Teacher. Considering that, issue of subject may not be relevant. In the light of that the respondent Nos. 3 and 4 are directed within a period of eight weeks to consider the pending application forwarded by the respondent Nos. 1 and 2 and thereafter to communicate the decision according to law. Needless to say that if the petitioner's appointment is approved the respondent Nos.3 and 4 are directed to release all salary grants after following due procedure.

. Rule made absolute accordingly. No order as to costs.

(**F.I. REBELLO, J)**

(**ANOOP V. MOHTA J).**